IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 22876 of 2002

Between:

S.A.Malik S/o S.Janu Saheb
R/o.Kalepalle (Village & Post),

Junnugudem, via Gidinellure(Mandal),
Chittoor District

..... PETITIONER

AND

1 The Regional Manager A.P.S.R.T.C,
Chittoor Region, Chittoor.
2 The Depot Manager, A.P.S.R.T.C.
Chittoor II Depot, Chittoor.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent in not absorbing the petitioner w.e.f.1st February 1976 as the same is illegal, arbitrary and unjust and consequently direct the Respondents to regularize his service w.e.f 1-2-1976 the date on which the other similarly situated employees herein were regularized and to pay the consequential benefits.

Counsel for the Petitioner: MR.Y.SUBBA RAO

Counsel for the Respondents: MR.P.VINAYAKA SWAMY, SC FOR APSRTC

The Court made the following:

ORDER:

Heard both sides.

It is represented by the learned Counsel on either side that the question involved in this writ petition is squarely covered by an unreported judgment of this Court in W.P.No.24363 of 1998 dated 01-09-1998, wherein it was held that the services of an employee should be regularised from the date of his initial appointment. However, in this case, the initial appointment of the petitioner being his absorption into private service, necessarily, the regularisation should be reckoned only from the date of absorption i.e., 9-12-1991 and not from date of his initial appointment in private service.

Following the aforesaid decision, the writ petition is accordingly disposed of directing the respondents-Corporation to regularize the services of the petitioner from the date of his absorption into services of the respondent-Corporation. No costs.

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06-04-2005

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To

1 The Regional Manager A.P.S.R.T.C,
Chittoor Region, Chittoor.
2 The Depot Manager, A.P.S.R.T.C.
Chittoor II Depot, Chittoor.

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